THE DIRECT EXAMINATION UNFINISHED. THE LATER SCHNES IN THE PLYMOUTH CONTROVERSY REVINWED-EFFECT OF THE PUBLICATION OF THE BACON LETTER-A NEW LETTER FROM MR.

BEECHER TO MRS. MOULTON. The direct examination of Francis D. Moulton was resumed yesterday in the Breoklyn scandal suit, and at the close of the session he was still in the chair. The testimony related mainly to the disposition of Mr. West's charges against Mr. Tilton, and the effect of the publication of Mr. Tilton's letter to Or. Bacon. It was announced that a letter from Mr. Beecher to Mrs. Moulton would form part of the evidence. The examination was conducted by ex-Judge Fullerton, and at the close the Judge addressed a grave admonition to the jury. The next session will be held on Monday.

MOB AND AUDITORS.

A vulgar, noisy, and impatient crowd hung around the court-room doors more than hour before the proceedings were opened. At least two-thirds of these loungers were not supplied with tickets of admission, and no opportunity for effecting an entrance offered itself to them. One of the peculiar features of this gathering was the presence of a number of feeble, gray-haired old men. Despite the entrents of biting, frosty air which swept through the corridors, these thin-blooded old men bingered in the crowd, and gazed with envious eyes upon those who passed in without annoyance. Just before 11 o'clock some one shouted, "Here they come," and immediately there was a race to the rear of the Court-house. Mrs. Tilton, her face covered with a heavy lace vail, appeared with her escort, and Mrs. Shearman and Mrs. Anna M. Field, each with a gentleman. As the party made their way toward the courtroom the conduct of the crowd was simply outrageous. Audible comments upon the appearance of Mrs. Tilton, coarse jibes about the plaintiff and the defendant as well, passed freely. With considerable difficulty the party threaded their way through the files of rude spectators into the court-

Opera glasses were numerous in the gallery yesterday, and in almost constant use during the day's proceedings. Mrs. Tilton, Mrs. Shearman, and Mrs. Field were subjected to much annoyance from this guarter. Fortunately for Mrs. Beecher, she was so seated that the back of her head alone was visible from the gallery. Two ladies whose faces had not previously been descried and stared at in the courtroom, appeared early in the morning. They seemed to be quite at home, and listened with composure to all that was said. Mr. Beecher and his wife left the court-room at recess and did not return. Mrs. Tilton remained during the afternoon.

Judge Reynolds and Judge Morse occupied seats

beside Judge Neilson. The Hon. Henry C. Murphy and several clergymen took seats behind the defendant's counsel.

Just before the court adjourned Judge Neilson admenished the jury to be careful and abstain from conversation with any one concerning the merits of walk before a prominent member of Plymouth Church accosted a juryman, and engaged with him in an earnest and at times noisy conversation. A crowd gathered around them immediately, supposing that the Beecher-Tiiton suit was under discussion. Finally some one in the crowd shouted to the juryman, "Don't talk to that man; he is a Beecher man." The conversation terminated abruptly, and the gentleman from Plymouth Church walked harriedly away. The incident gave rise to varied discussion. It is believed that Judge Neilson will have something to say on the subject next Monday. Mr. Beecher's friend is the gentleman who on the night of Moulton's giving the lie to Prof. R. W. Raymond vociferously urged his ejectment from the church.

BY-PLAY OF THE PROCEEDINGS. One of the earliest incidents of the day was the

introduction of Mr. Beecher's letter to Mr. Moulton in which Mr. Tilton's character is analyzed and the writer's aspirations after immortality with its "beckening glory" are breathed in glowing language. Ex-Judge Fullerton did full justice to Mr. Beecher's rhetoric, and Mr. Shearman, who kept his eyes upon the manuscript while his opponent used a printed copy, took pains not to interrupt him with corrections. When the letter in which Dr. Storrs is denounced was read Mr. Shearman adopted a differ-

Two scraps of new testimony were here brought to light. According to Mr. Moulton's version Mr. Tilton threatened to shoot Mr. Beecher, if the resignation of the pastorate should be given to the world, because it would disgrace the Livingston-st. household. It was also hinted that Mrs. Moulton received a letter from Mr. Beecher on the day when her husband first read the "beckening glory" letter. This letter has never been printed, and when it is offered will be one of the small surprises of the prosecution.

After Mr. Beecher's short cards, vindicating Mr. Tilton after the publication of the "tripartite agreement." and challenging Mrs. Woodhuli and any one else who had letters of his to bring them forward, had been introduced, the "West specifications," were read, special emphasis being laid upon the third clause, which, as Mr. Tilton's counsel claim, brings to naught the logic of Mr. Winslow in the report of the Investigating Committee. Mr. Evarts, with his usual pregision and inflexibility, demanded the production of a document, and was referred by ex-Judge Fullerton to the archives of Plymouth Church. Mr. Evarts seemed nettied for a moment, but the cutting rejoinder came in the next breath: "I have never thought that Plymouth Church or the Christian religion was a party in this case." "I think so too," broke in Judge Neilson, in his genial, hearty way. "Subpena the cierk of the church!" cried Mr. Evarts, with an impatient gesture, as his oppenent made an exasperating comment. Ex-Judge Fullerton may be in the right or he may be in the wrong, but one thing he always insists upon having - the last word. "There is some way, I suppose, of bringing in these things," was his closing com-

Two expressions which fell from Mr. Moulton's hips about this time pleased the circle of Mr. Beecher's friends in the body of the house. One of them was the declaration which he made to Mr. Beecher that in his opinion Mr. Bowen had no evidence whatever against the pastor of Plymouth Church. The other was Mr. Beecher's comment upon his own speech at Plymouth Church when he declared that he had no charges to make against Mr. Tilton. "I made," said Mr. Beecher, according to the witness, as full and generous a reply to Mr. Tilton as I

The witness's anxiety to play his best cards was painfully evident. He dragged in Dr. Storrs's name before it was time and strove to anticipate the purposes of his counsel. The letter in which Mr. Beecher denounced the course of Dr. Storrs was probably the most unwholesome thing which the members of Plymouth Church had to swallow during the day. There is neither religious fervor, generous thought, nor fine unagery here; the expressions are dry and barsh, and the effect of | fronted Mr. Beecher and made the first charge, and them was intensified by ex-Judge Fullerton's hard, he has gone on from stage to stage of the contro-

metallic tones. Then came Mr. Moulton's trump-card, and he played it well. Mr. Shearman and Mr. Moulton evidently detest each other, and neither of them at-Zempte to disguise the fact. Mr. Moulton's satisfaction, in recounting the circumstances under which Mr. Shearman's apology was sent to Mr. Tilton. shope from every feature. Mr. Shearman and he fairly glazed at each other, the lawyer's face wearing a grim smile at intervals, and the witness's testimony being delivered so fluently and earnestly as to seem like a declamation. The witness, in repeating his words to Mr. Beecher, "I am not surprised at anything coming from Mr. Shearman; I dog't think he is above such things," was very emphatic, almost vindictive, in tone, and the next

Shearman was a mischief-maker." Mr. Evarts had word to my about the cause of the misunderstanding, which was a reporter's version of an interview with Mr. Shearman, and the matter was, finally

dropped. Ex-Judge Futlerton had an unpleasant task at the close of the morning session. It took him 40 minutes to read the elaborate letter of Theodore Tilton to the Rev. Dr. Bacon, and the recital was exceedingly un-

interesting. Gen. Tracy had to take his turn after the recess, and the witness returned with vigor to the assault upon Mr. Beecher's legal advisers. The remark of Gen. Tracy to Messrs. Woodruff & Robinson that "in the present case lying was justifiable," called forth a laugh from the audience. The intimation that Gen. Tracy had violated the principles of professional etiquette in serving as Mr. Beecher's counsel after he had given Mr. Tilton legal advice, was made in the same declamatory style as his arraignment of Mr. Shearman. Gen. Tracy, however,

was imperturbable, and only evinced amusement. A keen passage of repartee between ex-Judge Fulton and Mr. Evarts relieved the tedium of the afternoon's work. The prosecution had attempted to introduce testimony without connecting it with Mr. Beecher, as they were legally bound to do. Mr. Evarts protested against this irregularity, and the Judge promptly sustained him. Ex-Judge Fullerton consented to amend his method, but complained that his opponents were compelling him to put the cart before the horse. "Ah!" broke in Mr. Evarts, You may put the eart, and never bring the horse!" Everybody smiled, but in the next breath ex-Judge Fullerton brought back the laugh to his side with the report, "You want neither cart nor horse. You will see what the horse draws into the

Beyond the admission that Mr. Moulton had told his partners as early as 1871 the secret of Mr. Tilton's household and the recital of Mr. Beecher's comment on Gen. Butler's character, the closing passages of the examination were dull and spiritless. The assistance of ex-Judge Morris, who was confined to his house by illness, was sorely missed by the prosecution in the presentation of evidence. His familiarity with the correspondence and the minutest details of the case enables him to control the order of testimony, and to put his fingers on the documentary evidence without a moment of delay. His partner, Mr. Pearsall, had charge of the papers yesterday, but was so awkward at one time in finding what was wanted that Mr. Tilton nervously seized the package and worned over it himself.

SCANDAL BLOSSOMS.

The court-room, or rather that part of it reserved for counsel, was fragrant with the odors of hothouse plants. The violet vied with the lily, and the chaste camellia was in contrast with the petals of the "red, red rose." For several days past the table near Mr. Beecher's seat has been decorated with choice dowers from the conservatory of a friend. A, beautiful bouquet of violets was placed in the vase yesterday morning, and a similar bouquet was presented to Mrs. Beecher. The wife of Theodore Tilton had no sooner taken her seat and removed the heavy lace vail which covered her face, than a member of the case. The jury had hardly reached the side- Plymouth Church handed her a delicate cluster of violets and white rose-buds. The flowers were presented with a graceful compliment. That little bunch of flowers had a significance to her which few in the court-room appreciated. It was an intimation that she was still kindly remembered in Plymouth Church. Her thanks were expressed very unaffectedly. It is true that there were many present who smiled sardonically, and saw in the presentation an attempt to produce a dramatic effect, but such were evidently not her

The display of flowers on "the Plymouth side of the house," as it is designated by the speciators, was very marked, and gave rise to many complimentary and uncomplimentary criticisms. Quite naturally, under the circumstances, when a magnificent and showy bouquet of roses, violets, lilies, and arbutus was brought to Mr. Tilton, it attracted the attention of the entire audience, counsel not excepted. The plaintiff blushed like an innocent school-boy as he detached the card attached to the floral tribute, and read the inscription, "To Theodore Tilton, with the compliments of his friends." Immediately afterward a hat-box was handed to Mr. Tilton, and removing the cover, he drew forth a bouquet, if anything more conspicuous than the first. By this time the counsel and the witness on the stand ceased to attract the attention of the spectators, and Mr. Tiiton and his group of counsel were under every eye. The plaintiff had scarcely deposited his gifts upon the table at which he was sitting, before two additional bouquets were passed over to him, the larger one being for ex-Judge Morris. Mr. Tilton's face more conspicuous than the first. By this time the one being for ex-Judge Morris. Mr. Tilton's face turned crimson, and a smile ran around the courtroom. Gen. Pryor moved uneasily in his seat, Mr. Shearman appeared much amused, ex-Judge Beach looked solemn, and Mr. Fullerton, although busily examining Moulton, stopped for a moment, and cast a quizzical glauce at the sentimental offerings, which seemed so strangely out of place in a courtroom. From one of the bouquets Mr. Tilton drew a note written on tinted paper. He read the contents with an appearance of gratification, and then placed

The effect produced by the fibral display indulged in by the friends of the plaintiff and the defendant was not calculated to draw out compliments for either. If the jury and spectators were romantic young ladies of poetical fancies, the floral tributes might have touched some tender chords, but the majority of the spectators in the court-room were of a practical turn of mind, and so-they simply smiled. As for Mr. Tilton, while he no doubt had a keen appreciation of the compliments bestowed, be was without question greatly embarrassed. It is safe to say that the great question at issue will not be settled in favor of the man who can show the greater number of bouquets. "Rosemary and rue" may be in order, but roses and violets are out of place just now.

LEGAL ASPECTS OF THE CASE.

The presentment of the evidence for the plaintiff is regarded by many lawyers as exceedingly able. The burden of his case was the documentary evidence, and it was essential that this should be in troduced as early as possible. Every letter, however, had to be connected with Mr. Beecher, and Mr. Moulton was the only witness who could do this. Those letters which Mr. Beecher did not write himself were either intrusted to Mr. Moulton or the substance of them was referred to during the interviews between them. In this way the bulk of the scandal literature which was incorporated in Mr. Moultog's statement last Summer has been set before the jury. In other respects, however, the prosecution displayed great acuteness in calling Mr. Moulton in preference to Mr. Tilton. In the first place, as the intimate associate of Mr. Beecher, from that stormy night in the closing hours of 1870 to the early sessions of the Investigating Committee in the Summer of 1874, he was able to present the case in the natural order of time from beginning to end. He began when the controversy opened, on the night when Mr. Tilton conversy until the Investigating Committee met and the rupture between himself and Mr. Beecher occurred. In so complicated a case it was exceedingly difficult to bring the details of the evidence in their natural order before the jury, but ex-Judge Fullerton has been equal to the occasion, and the jury have been spared needless confusion. Another advantage of their method was this: The first version of the whole case has been furnished, not by the plaintiff, who is most vitally interested, but le his friend, the associate of the defendant.

5. The cross-examination of this witness will un doubtedly be an extremely rigorous one. It will be conducted by ex-Judge Porter, who has had very little to do with the proceedings thus far. The opening address for the defendant will probably be made moment came the sneering swords, "Mr. Beecher | by Gen. Tracy, although the trust may be confided Wept over it and said to me that in his opinion Mr. to Mr. Shearman. Mr. Evarte and ex-Judge Porter

will probably sum up jointly for the defense, and Mr. Beach and Gen. Pryor for the prosecution.

THE PROCEEDINGS.

Ex-Judge Morris was the only one of the counsel absent when the Court opened yesterday morning. After the customary formalities, Judge Neilson asked if the counsel were ready. Then Mr. Fullerton explained that Mr. Morris was kept at home and in bed by sickness, and that his absence would greatly embarrase their actions, for he was most familiar with the voluminous documents which form so large a part of the pl intiff's case. The direct examination of Francis D. Mouiton was then resumed at the point reached when the Court adjourned the previous day-with reference to what is known as the "tripartite agreement."

MUTUAL EPFORTS FOR CONCEALMENT.

Judge Neilson-Are the counsel ready to proceed? Mr. Fullerton-May it please your Honor, we are somewhat mbarrassed this morning on our side, by the absense of Judge Morris—who is quite ill and unable to leave his bed—in the pre-sentation of our documents, Judge Morris having been very familiar with them, having put his marks upon them so that he could manipulate them with convenience, and we shall have to ask your Honor's indulgence a little, probably, from time to time, on account of that embarrassment.

Judge Neibon-I very much regret his illness. Prancis D. Moulton was recalled, and the direct examination

Mr. Fullerton-Mr. Moulton, at the adjournment last night, you were detailing what occurred after the publication of the tripartite agreement, and had spoken of the proposed resignation from Plymouth Church, and of an interview which you had with Mr. Tilton in your house. I want to ask you, first, whether you reported the substance of that interview with Mr. Tilton to Mr.

Q. And what did you say to him? A. I said that Mr. Filton ngly objected to the publication of the resignation on the ground that it was a clear statement, in his opinion, of the shame of his wife.

Q. What did Mr. Beecher reply to that? A. The reply of Mr. Beecher to that, Sir, I do not remember; but I said to Mr. Beecher, "Clearly that is the case, Sir; clearly, if the resignation should be published, it would be a virtual confession of the fact of your relations with Mrs. Tilton, and it ought not to be

Q. Did you communicate to Mr. Beecher anything else that Mr. Tilion said in regard to that proposed publication? A. I told Mr. Beecher that Mr. Tilton was quite violent; Mr. Tilton said that he would shoot Mr. Beecher if he did it. I think that I mentioned that to Mr. Beccher. That is what Mr. Tilton told me, at all events. Q. The publication did not follow, I believe? A. It did not

Q. What was said about a counter-statement of any kind

A. I said to Mr. Beecher that I thought it would be poss frame a card that would cover the case, and at all events there was between that time and Monday to consider it, and we had better consider it. Q. Was a card proposed? A. There was, on Sunday-1

think it was Sunday afternoon—Sunday evening.

Q. Who proposed the card? A. I had told Mr. Tilton, Sir, that I thought it would be wrong for him to publish the letter

which he threatened to publish. Q. Which I read in evidence yesterday? A. Yes, Sir; I told him I thought he ought not to do it. I thought he ought to undertake to find a different way, and he promised me at last that he would try, and he did; and he did prepare a card which uld be satisfactory to him, which I submitted to Mr. Beecher on Sunday night; and I said to Mr. Beecher, "I think that will cover the case." In the meantime 1 had received a letter from

Q. Is the letter now shown you the one that you spe handing witness a letter | ? A. Yes, Sir; that is the letter.

Mr. Fullerton-I propose to read it. Mr. Evarts-1s that from Mr. Beecher?

Mr. Evarts-This is the one you say you received in the cantime? A. I received it on the morning of June the 1st, Sunday morning, while I was in bed. Q. Before the interview with Mr. Beecher ? A. Of Sunday-

Mr. Fullerton [reading the letter] :

yes, Sir.

Mr. Fullerton [reading the letter]:

Sinday Morriso, June 1, 1873

My Dhan Phank: The whole earth is tranquil and the heaven is screen, as befits one who has about finished his world life. I could do nothing on Saturday—my head was confused, but a good sleep has made it like crystal. I have determined to make no more resistance. Theodor's temperament is such that the future, even if temporarily earned, would be absolutely worthless, filled with abrupt charges, and rendering me limbe at any hour or my to be obliged to study fair that he should know that the publication of the card which ne propose would leave him far worse off time before.

The appreniand was made after my letter through you what written. He had it a year. He had conduced his wife's fault. He had empoined upon me with the ulmost carnestness and solemnity not to betray his wife or leave his children to a beight. I had honestly and carnestly joined in the purpose. Then this settlement was made and signed by him. If was not thus my making. He revised his part so it should wholly sait him, and signed it. It should unquestioned and unblamed for more than a year. Then it was padiated. Nothing but that. That which he did in private when made public excited him to farry, and he charges as with making his appear as one graciously perdoned by him. It was not than a fearness me with making his appear as one graciously perdoned by me. It was his own defiberate act, with which he was perfectly content this others saw it, and then he charges a grievous wrong home on me!

are, he is constantly imposed upon with the ide ion, a great stroke, a coap d'état is the way to sur

broides these, he has a hundred good things about him; but sides these, he has a hundred good though and the comment that make him absolutely unreliable, erefore, there is no use in further trying. I have a strong an appointe, and it brings great peace with it, that I am ding my hat Standay and preaching my hat sermon, ar, good God. I thank thee I am ted-sod beginning to see and triumph. The pain of life is but a moment, the glory scrinsing counterpation is worlders, inconceivable, full of oming gory. On any believed Frank, I shall know you said forever hold fethership with you, and look back smile at the past. Your loving.

H. W. B.

and smile at the past. Your loving (Letter marked "Except No. 26.") Q. What time in the day did you receive that letter ? A. In

Q. Did you see another letter written on that day by Mr. Beecher ? A. This letter was inclosed in a letter to my wife, I Q. Did you see the letter addressed to your wife? A. Yes,

it: I have seen it. I saw it then, I believe.
Mr. Pullerton—I will not produce it now. You have spoken of a card which was prepared at the time. Look at the paper now wayou and say whether it is the one. [Handing witness Was the card published? A. There was a card published; yes, Sir; substantially the eard which we considered that night

Q. Under what circumstances did the alteration take place? A. Mr. Heecher said to me that he thought there was some words or phrases that might be left out judiciously, and they

Q. And then published? A. Yes. Q. After the emendations that you speak of? A. Yes. Sir. Q. Look at that paper, and say whether that is the

morning, Sir.

[Handing witness a printed paper.

Mr. Evarts-is that the printed paper ?

Mr. Fullerton-Yes, Sir. Mr. Evarts-Haven't you the original ?

Mr. Fullerton—That is the original.
Mr. Evarts—No; I understand Mr. Tilton wrote a card.

By Mr. Fullerton-Q. Where is the card that was written, d ou know? A. I saw it a few days ago in Mr. Tilton's pos-

Mr. Fullerton-To Mr. Tilton-Well, let me have that,

Mr. Tilton-1 think Mr. Moulton has it. Mr. Fullerton-That is one of the embarrasements growing at of Judge Morris' unfortunate illness. I will produce it be-

ore I get through, Mr. Evarts-Well, I would like it now. Mr. Fullerton-Perhaps you would like it because we flaven

Mr. Evarts-No, you have got it; the witness says you have. Mr. Evarts-We would not like to have this evidence go on

without that paper. Mr. Fullerton-I can read it from the newspaper and substite the original, if that will answer your purpose. Judge Neilson-You can do that by consent, Sir, if the

Mr. Fullerton-This is the original of the card that was pub-

Mr. Evarts-Oh, well, you have not proved that.

Mr. Beach—I think we have.

Mr. Evarts—It is a part of the matter no doubt, but Mr. Til

ton wrote a card which was the very matter that was proposed to Mr. Beecher's consideration, and was the topic of conversa tion, and some changes being made between the parties there it was afterwards published. Now, we want the transaction a Mr. Beach-We proposed just now to produce the card as

mended by Mr. Becener and published. When we find the er we will produce that. Judge Neilson-Won't that be satisfactory, Sir ! If the other a found it is to be striken out, or recon-

Mr. Evarts-Well, I do not want to accumulate too many it tances of that kird. We have one lying over.
Judge Neilson-Will you hold that in reserve? Mr. Beach-We are under no obligation to produce the one that was originally drawn and mnended by Mr. Beecher: still

we are willing, and intend to do it. Mr. Evarte- That is another matter. Judge Neilson--It is proper that it should be produced, un

Mr. Evarts-Yes, Sir. I think so. Mr. Fujierton-Shall I read the one that was published? Mr. Evarts-Are we to have the other?

The Witness-It was not published from the manuscript that

Mr. Evarts-No; I understand that. Judge Neilson-There was a copy sent to the printer?
The Witness-Mr. Beecher made a letter himself, Str. acting upon the idea of Mr. Tilton's proposed card.

Judge Neilson—That paper you will produce when you can

find it ? Mr. Fullerton-Yes, Str. [Reading the card.] To the Editor of the Brooklyn Eagle.

DRAR SIR:—I have maintained stlence respecting the standers which have for some time past followed me. I should not speak now, but for the sake of relieving another of unjust imputation. The document that was recently published, bearing my name, with others, was published without consultation, either with me or with Mr. Tilton, nor with any authorization from ms. If that document should lead the public to regard Theodore Tilton as the author of the calumnies to which it failudes, it will do him great injusties. I am unwilling that he should even seem to be responsible for injurious statements whose force was derived wholly from others.

Marked " Exhibit No. 27." Q. What was the document recently published? A. The "Tripartite Covenant."

BOWEN AND CLAFLIN SEEKING EVIDENCE.

Q. This card that you now speak of, as I understand you, was prepared and published after the proposed resignation from the ministry? A. Yes, sir.

Q. The next day, was it not? A. Published on June, the 2d, Q. Now, was there another card published soon after that?

A. Yes, Sir; there was a card published after that. Q. State the circumstances under which that card was pre-pared? A. What card do you refer to, 807 Q. The second card of Mr. Beecher, following June 2d? A.

There was the card that I have in mind now, Sir, that I am referring to, if you will allow me to speak of that. Q. Yes, Sir. A. It was the card with reference to the visit of Mr. Bowen to Mrs. Woodbuil

Q Yes, Sir. A. It was to Mr. Bowen to Mrs. Woodhull.
Q. That is the one, Sir, you are right. Now, tell the circumstances under which it was prepared, and the time or the original of the preparation, as you erromstances which led to its preparation, as you learned them from Mr. Beecher? A. There was an account in the paper of Mr. Bowen and Mr. Claffin visiting Mrs. Woodhull together, for the purpose of getting evidence.

Mr. Rvarts—What is the object of this?

Mr. Fallerton-It is only introductory, Sir, to the meeting

with Mr. Beecher. visit of Mr. Bowen and Mr. Claffin to Mrs. Wood-hull's, for the suke of getting evidence against Mr. Beecher, I thought rather serious; and I saw Mr. Beecher in regard to it, and I said to him, I think, Mr Beecher, we can make very short work of such business; I think, and you think, that Mr. Bowen has not any evidence in his passession against you, and we better publish a eard in The Engle, falling upon anybody with any papers or cy pared a card with reference to that matter, which met with my approval, and I took it down to The Eugle office.

Q. Look at the paper now shown you and say if it is the card that you speak of r [Handing witness a card.] A. This is the eard as it was prepared : yes, Sir.

Mr. Fullerton-I propose to read it. Go on and finish the

narration ! A. Mr. Beecher was out of town, or was going out of town, upon the day that I saw Mr. Kinseila, of the Brooklys Eagle, and Mr. Kinsella bimself altered the phraseology some what, and we jointly took the responsibility of printing it with the alterations; and I saw Mr. Beecher subsequently, and he said that he approved of the alterations, and thankme for my kind offices in the matter; and Mr. Beecher said to me, furthermore, "Of course Mr Tilton will not preduce any documents." "Welf," I said, "of course he won't, he hasn't got any that I know of, original documents, to produce, and of

Ry Mr. Evarts-What conversation is this ! A. The conversation with Mr. Beecher, Mr. Evasts. Q. At what interview? A. At the interview at the prepara-

tion of this card. When that paper was there \(\) A. Yes; certainly.

Mr. Fulierton- The proposed card resits as follows

I have seen in the morning papers that application has been made to Mrs. Victoria Weedhull, for certain letters of min supposed to contain information respecting certain infamous stories against me. She has two business letters, one descliming an invitation to a suffrage meeting, and the other decliming to give my assistance solicited. These and all letters of mine in the hands of any other persons, they have my coolial consent to publish. I will only add, in this connection, that the stories and rumors which have, for a time, been circulated about me, are grossly uniture, and I stamp them, in general and in particular, as utterly faise.

(Marked CRyb. 19.

Q In whose handwriting is the interlineation in that card Q. The crasures—do you know anything of them? A. They were made by Mr. Beecher.
By Mr. Evarts—I understand, Mr. Moulton, that that paper as

it reads, omitting what is crassed and reading that pencil inter-lineation, is as it came from Mr. Beecher? A. Yes, Sic ; that is precisely the paper which I took to The Brooklyn Eagle office. paper ? A. No. Sir : I have a copy of the article as Mr. Kinsella changed it, and wrote it in pencil.

By Mr. Fullerton—It has just been shown to you has it not, in print? A. Yes, Sir, that is the article.

Mr. Fullerton-I now read the eard as amended and pub The Witness-There is omitted, Sir, from that lead pencil memoranda of mine some of the sentences that occur in the

original letter. I did it to save time. Mr. Fullerton- [Reading]

To the Editor of the Brooklyn Eagle:

Six: In a long and active life in Brooklyn it has excely happened that The Eagle and myself have been in accord on questions of common concern to our follow citizens: I am for this reason compelled to a knowledge the unselicited confidence and regard of when the columns of The Engle of late bear testimony. I have just returned to the city to learn that application has been made to Mrs. Victoria Woodhalf for letters of mine suppessed to contain information respecting certain infamous stories against me.

Mr. Fallerten-I think there is some misapprehension about this. I shall have to ask the witness whether that part of it in parenthesis was published. [Handing witness the book]. A No. Sir.

Q. That was not published? A. No. Sir. Q. Then I am to read it without the parentheses? A. With

Mr. Evarts-Haven't you got the very publication? Mr. Failerton-It does not seem to be here

Mr. Evarts—The newspaper itself; that will show,

Mr. Fallerton-It is not here. The Witness-I can teil you for what purpose those paren-

Mr. Evarts-Well, that is no matter.

Mr. Fullerton-Notat present. Mr. Evarts-H your Honor please, there is some danger of getting into a little confusion and doing injustice, perhaps, to one side or the other. The direct and satisfactory evidence of

what was published in \(The Eagle\) would be, of course, the production of the newspapers, and then we at all see for ourselves what it was. I had supposed this printed letter or note, which we 'are all familiar with, was what was published in The Eagle, but it seems that we cannot trust t for that -that as Mr. Moulton says it is not the same ; there fore, if they could give us the copy of The Eagle, we should be

glad, and then we could see. Judge Neilson-It would be better, no doubt, Sir,

Mr. Evarts-Otherwise there may be some confusion. Mr. Fullerton-I will defer this branch of the case until w get a copy of The Brooklyn Engle. Probably it would be well o strike out what was read from the card.

Judge Neilson-From the printed card? Mr. Fullerton-From the printed card; when it is published

it will all go in together. Judge Nellson-Yes, Sir; we may as well.

THE WEST CHARGES AGAINST TILTON.

Mr. Fullerton-I call your attention now to the 25th of June, or to an occurrence that took place about that time. Do you recollect anything that occurred in reference to Mr West : A. I believe Mr. West preferred charges against

Mr. Evarts-Well, what occurred, if you please? A. Mr. Tilton brought around to my house the charges of Mr. West about that time Mr. Fullerton-Look at the paper now shown you, and say

whether it contains the charges thus produced to you by Mr. Mr Evarts-Does he name that as the paper that was pro-Mr Fullerton-I say that.

Mr. Evarts-I assume you are going to correct it.

Mr. Fullerton—On't certainly.
The Witness—Yes, Sir; that is the paper. Q. State whether you showed those charges to Mr. Beecher

A. I don't remember that I did. Q. How? A. I don't remember that I showed them to Mr. Q. Did you have any conversation with him in regard to it? A. Yes, Sir. I had conversation with him in regard to it.

matter had beffer go over until Fail, and in the meanting during the vacation, I thought we could get along with that try to find a way. I told him I should recommend Mr. Evans-I understand that this is one of the papers that Mr. Tilten brought you; these very papers ? A. Those are the papers, that is, as I remember. Q. You showed them to Mr. Beecher? A. I don't know that

I showed them to him; no, Sir. Q. But you spake to him about the paper Mr. Tilton had brought you? A. I spake to thim about Mr. West's charges. Q. Mr. Failerton -Did you state to him the substance of the forges 1 A. Yes, Sir; I told him I had a full conversation with

Mr. Evarts-They don't seem to have been shown to Mr. Mr. Fullerton-Did you state the substance of the charges to

Mr. Beecher? A. Yes, Sir, I did, certainly; I have answered | handwriting it is? A. Mr. Beecher's handwriting; is that all

Q. And what was said by him in reply? A. Why, he hoped

that he would be able to find a way to get over that matter during the Summer. Q. And what was proposed? A. I proposed that Mr. Tilton

should—or I said that Mr. Tilton proposed to me that he should write a letter saying that he declined, on the ground of nonmembership.
Q. Of Plymouth Church? A. Yes, Sir, non-membership and

that he would decline, on the ground of non-membership, an inrestigation; I thought that was the way out. Mr. Evarts-Well, I understood you to say that it was Mr. Tilton suggested-did I understand you to say that Mr. Tilton

suggested that as a way of escape from the dilemma? A. Yes, Sir, Mr. Tilton said so.

Mr. Beach—That he should write a letter declining? A. Yes.

Sir; he was willing to do that. I told Mr. Beecher that Mr. Tilton would be willing to write a letter stating that he would decline an investigation on the ground of non-me Mr. Evarts-You said that because Mr. Tilton had told you so!

A. Yes, Sir; certainly. Mr. Fullerton-I read the charges in evidence :

BROOKLYN, Oct. 16, 1873. Mr. THEODORE TILTON. Mr. THEODORE TH.TON.

DEAR SIR: At a meeting of the Examining Committee of Plymouth Church, held this evening, the Clerk of the Committee was instructed to forward to you a copy of the complaint and specifications made against you by Mr. Wm. F. West; and was requested to notify you that any answer to the charges that you might desire to offer to the Committee should be sent to the Clerk of the Committee on or before Thursday, Oct. 23, 1873. Enclosed I hand you a copy of the charges and specifications referred to.

Yours, very respectfully,

D. W. Tallmadge.

353 Bridge-st.

Copy of the Charges and Specifications made by Wm. F. West against Theodore Filton.

I charge Theodore Tilton, a member of this church, with having circulated and promoted scandals derogatory to the Christian integrity of our pastor, and mjurious to the reputation of this church.

SPECIFICATIONS.

First: In an interview between Theodore Tilton and Rev. E. L. L. Taylor, D. D., at the office of The Brooklyn Union, in the Spring of 1871, the said Theodore Tilton stated that Rev. Henry Ward Beecher preached to several—seven or eight—of his mistresses every Sunday evening. Upon being rebused by Dr. Taylor, he repeated the charge, and said that he would make it in Mr. Beecher's presence, if desired.

Witness: Rev. E. L. L. Taylon, D. D. Second: In a conversation with Mr. Andrew Bradshaw, in the latter part of November; 1873, Theodore Tilton requested Mr. Bradshaw not to repeat certain statements which had previously been made to him by Mr. Tilton, adding that he retracted none of the accusations which he had formerly made against Mr. Beecher, but that he wished to hush the scandal on Mr. Beecher's excount; that Mr. Beecher was a bad mao, and not a safe person to be allowed to enter the families of his church; that if this scandal ever were cleared up, he (Mr. Tilton would be the only one of the tree involved who would be unhant for it, and that he was silently suffering for Mr.

Beecher's sin.

Witness: Andrew Bradshaw.

Third: At an interview with Mrs. Andrew Bradshaw, ir
Thompson's dising rooms, in Clinton street, on or about the 3d
of August, b70, Theodore Titton stated that he had discovered
that a criminal intrinsic versited between his wife and Mr.
Beecher. Afterwards, in November, 1852, referring to the
above conversation, Mr. Titton said to Mrs. Bradshaw that he
retracted note of the accusations which he had formerly made
against Mr. Beecher.

st Mr. Beecher. ness: Mrs. Andrew Bradshaw. (Two papers attached and marked each as " Exhibit No. 29."

Mr. Fullerton-State whether any reply to this letter of Mr. Tallmadge was prepared? A. I think there was, Sir. Q. Now, by whom: A. I think that the letter was prepared by Mr. Tilton. Q. Was Mr. Beecher consulted in regard to it? A. I think I

saw Mr. Beecher with regard to it; yes, Sir.

Q. It was published, wasn't it? A. It was published; yes, Mr. Evarts-You mean to say that you did see Mr. Beecher Mr. Fullerton [addressing defendant's counsel] - Gen

paper]. Plymouth Church had it. Mr Evarts-Yes, but Plymouth Church is not the defendant Mr. Fullerton-I thought it was so considered, by the church

Mr. Evarts-No; we have never thought Plymouth Church or the Christian religion was defendant here.

Judge Neilson—That has been my view of the case.

Mr. Pollerton-Well, perhaps not. Mr. Evarts-A notice to produce papers that belonged to Mr. Beecher to have, of course we shall meet. But a notice to produce papers that, on the very face of them, are in the archives

f Plymouth Church is not a notice to the defendant to pro-

nce papers in his pessession.

Judge Neilson—It has no force or effect. Mr. Pullerton-Weil, Sir, we shall produce-get the paper in Court some way. Mr. Hwarts-You can very easily. Mr. Talmage can be sub-

Mr. Fullerton-I call your attention to something that occurred in October, 1873, growing out of a publication in the New-York San, without stating what it was. A. Growing out of a publication in the New York Sun?

Q. Yes, Sir.; on the subject of expelling Mr. Tilton from
Plymouth Church. Do you recollect an interview in regard to

that subject? A. I don't remember that: Q. Do you'recollect that Mr. Beether was sent for, and con-sidered at your house, in connection with Mr. Tilton, this pro-posed action of Plymouth Church in regard to the membership f Mr. Tilton? A. I remember that there was to be a meet set from The Sun, whether it was in October, 1873, or not; I don't remember; but there was to be a meeting at Plymouth

Church, in which the charges against Mr. Beecher were to be

er-tanding-I said to Mr. Beecher, that I thought that the t of it was simply to drop Mr. Tilton's name from he roll of the Church, and Mr. Beecher agreed to that; that is

Q. Well, how would that prevent any action ?

Mr. Evarts-On! well, that is not proper. Mr. Falterion. What was said upon that subject? A. That is not being a member of the church I said-if he was not a norms of the church the charges against him could not be in-conjusted, and consequently there could not be any exposure if the facts in the same as between himself and Mrs. Tilton.

 \mathbb{Q}^- A few memories ago you spoke of a proposed deffer by Mr. u. in which he should decline the trial at Plymomb Church,

on the ground of non-membership? A. Yes, Sir. \mathbf{Q}_{+} Do you know whether such a letter was written, or not q A. I think it was written; yes, Sir. Q Did you go to Plymouth Church that night? A. I did not,

but I had a conversation with Mr. Tilton.
Q. Did you have a conversation with Mr. Beecher in regard to the action of Plymouth Church that night * A. I had a conversation, I have repeated it; yes, and a reed with Mr. Beecher as to what the course should be, in the presence of Mr. Tilton. Q. No. I am speaking of wisat occurred at Plymouth Church that night? A. Oh! us; I was not at Plymouth Church that

Q. Did you have a conversation with Mr. Beecher as to what did occur? A. Afterwards, yes, Sir; with Mr. Beecher after

Q. Now, let us see what that conversation was? A. He said that Mr. Tilton had come down there—tald me the circum-stances; he said that Mr. Tilton had come down to the church and had said in the presence of the congregation that if he has slandered his pastor, he was there to answer for it, and Mr Beecher said, "I made to him as full and generous a reply as I

knew how to make." That is the substance of what-Q. How long was that after the meeting at Plymouth Church A. Not very long after; I don't remember how long Q. Well, was it within a few days? A. Within a few days: I

should say within a day or two. THE CHURCH COUNCIL AND DR. STORRS.

Q. Now the next event in the order of time that I want to call your attention to was the proposed Council of the Church. Do you recollect that? A. I recollect that there was Q. And did you have an interview with Mr. Beecher in regard

Q. State what occurred * A. Mr. Beecher did not want-Mr. Beecher said he did not want Theodore to take any part in that Conneil; that if he could maintain silence—not ufter a word-until after the dissolution of the Council—that if that could be

bridged over, he thought everything would be safe; that is substantially what I remember about it. Q. Did he speak of Dr. Storrs in that conversation? A After Dr. Storrs had made a speech before the Council, I received from him a letter concerning Dr. Storrs' sp said to Mr. Beecher, Sir. that I understood that Dr. Storrs

would consider it necessary to be severe-Mr. Evarts-Well, this is not drawn out by any question Mr. Fullerton-Yes; it is drawn out by the question. I asked

Mr. Evarts-Whether Mr. Beecher did? Mr. Fullerton-Yes.
Mr. Evaris-Well, how is that material?

Mr. Pullerton—That will appear after it comes in evidence.
Mr. Evarts—Oh! yes; but on the face of the matter it is imma

Mr. Fullerton-It is in connection with this Church Council.

Judge Nelson-I think we will have to take it, and see n regard to it. A. Yes, Sir; that Dr. Starre intended to be severe on Mr. Tiron, and I told Mr. Beecher that I did not

think that would be the proper course for Dr. Storrs to pursue, that I thought it was not ingenuous for him to do is.

Q. Go on and finish the conversation. A. And he said he thought it would not be right for Dr. Storrs to do it; that is before the speech of Dr. Storrs was made, Sir, now that I am speaking of, then Dr. Storrs made his speech, and followed

hat you want to know? Q. Letter written to you? A. Yes, Sir.

Q. Did you receive it about the time of its date, A. I did.

(Letter submitted to defendant's counsel.) Mr. Pollerton—Have you any objection to it, gentlemen?

Mr. Evarts—I suppose not.

[Confidential.]

My Dran Frank: Lam indigment beyond expression. Storrs's course has been an unspeakable outrage. After his pretended sympathy and friendship for Theodore he has turned against him in the most venomous manner—and it is not sincere. His prefessions of faith and affection for me are hollow and faithless. They are merely tactical. His object is plain. He is determined to force a conflict and to use one of us to destroy the other if possible. That is his game. By stinging Theodore he believes that he will be driven into a crurse which he hopes will ruin me. If ever a man betrayed anot r he has, I am in hopes that Theodore, who has borne so houch, will be unwilling to be a flaid in Storrs's hand to strike at a friend. There are one or two reasons, emphale, for waiting until the end of the Council before taking any action. Mr. Evarts-I suppose not.

ore taking any action.

1. That the attack on Plymouth Church and the threats against ongregationalism were so violent that the public mind is likely o be absorbed in the ecclesiastical elements and not in the per-

to be absorbed in the ecclesiastical elements and not in the personal.

2. If Plymouth Church is disfellowshiped it will constitute a blow at me and the church, far severer than at him.

3. That if Council does not disfellowship Plymouth Church, and on the street of the second of t

No one can tell under first impressions what the effect of such a speech will be. It ought to down aboves.

[Letter marked "Exhibit No. 30."]

Q. [Handing letter to witness.] There is another letter, Mr Moulton, which you will please look at and say in whose hand writing it is? A. In the handwriting of Mr. Beecher.

Q. To whom is it addressed? A. To me. Q Did you receive it about the time of its date? A. I did;

'opy of letter marked "Exhibit No. 51."]

Q. Now, Mr. Mouiton, state if you please, whether you saw paragraph in The Union, to which reference is there made?

 $Mr.\ {\rm Evarts-We}$ would rather have the paragraph. Mr. Full-rton-ti is not necessary, if your Honor please, we could produce those new-papers that are incidentally referred

Judge Nellson-It is not remotely collateral. I think the paper should be produced. You can introduce it hereafter,

Sir: I saw him. Mr. Everts-The paper is in the letter. Mr. Fullerton-The puragraph from The Union is as fol-

Mr. Evarts-We consent to this being read as if the paper We understand that to be the same.

Q. What, if anything, did Mr. Beecher say to you in regard to

an almost unspeakable agony, and he wept over it, and I told him that I should go to see Mr. Shearman about it, and

I did go to see Mr. Shearman about it. Mr. Evarts-No matter about what passed between you and The Witness-I am not going to any anything about that, Sir; I saw Mr. Beecher after I had seen Mr. Shearman, and I told Mr. Beecher that, Mr. Shearman refused to read the paragraph when I placed it before him on his desk, and I told Mr Beecher that I had subsequently taken Mr. Tilton to see Mr. Shearman, and that Mr. Shearman had made an explanation to Mr. Tilton, which Mr. Tilton denounced as false; and I saw Mr. Beecher subsequently, and I told him of a letter which Mr. Shearman had given to me to give to Mr. Tilton, which Mr. Tilton had refused to receive, on the ground that it contained a deliberate falsehead, and that unless Mr. Shearman did write another, letter taking it back, as it should be retracted, that Mr. Tilton would make trouble about it:

he retracted that Mr. Blocher subsequently that Mr. Shearman had written a letter of retraction, and had received back from matthe letter which he woods at flost, and which Mr. Tilton stigmatized as a falsehood; and Mr. Beecher said to me also that

interview I had with him concurring this paragraph is

desired to fix the date. The Witness-The date of Mr. Shearman's letter would

Mr. Fullerton-That will enable him to fix the date of the

The Witness-It is dated April 2d, 1874.

Q. Does that enable, you to state when the conversation of which you have spoken took place? A. The conversation was

Sir; there were several conversations. Mr. Pollerton-His statment is directly contrary to that. Mr. Evarts-I would like to have the line drawn between what one and what is in the other,

conversations of which you speak. A. I cannot; but they were quite near together.

Q. Were you present when either of Mr. Shearman's letters

delivered to Mr. Tilton.
Q. Yes, Sir. A. Mr. Shearman gave to me that letter of

Judge Nellson-It is a mere incident in the order of dates. I think he may answer what he knows about this case, because it The Witness-Mr. Shearman gave me the letter to deliver to

Mr. Evarts-Your Honor will see that it is all immaterial, and I would like to state my views in regard to it. All this matter arises out of a reporter's paragraph in The Union; it is not a paragraph printed by Mr. Shearman or by anybody; it is a reporter's statement of an interview with Mr. Shearman, as I unterstand it, in The Brooklyn Union, which is a paper here-The

paper. What Mr. Beecher says about that is good evidence of course, and that we have; but what passes between Mr. Tilton

Q. Look at the letter which I show you now and see in whose I and Mr. Moulton and Mr. Shearman afterwards, getting before

Mr. Fullerton-I read it in evidence:

Mr. Fullerton—I read it in evidence:

Sunday Night, March 29, 1874.

My DEAR FRANK: Is there to be no end of trouble? Is wave to follow wave in endless succession? I was cut to the heart when C. showed me that shameful paragraph from The Union, Its crucity is beyond description. I felt like lying down and saying, "I am tired—tired—tired of living, or of trying to resist the devil of mischief." I would rather have had a lavelin humehed sagainst me a humbred times than against those that have suffered so much. The shameful indesiency of bringing the most sacred relations into such publicity, fills me with norror.

But there are some signat alleviations. The paragraph came when the public mind was engaged with the Council and with Theodore's letters. I hope it will pass without forther notice. If it is not taken up by other papers it will sink out of sight and be forgetten; where as, if it be assailed, it may rice it a conspicality that is never would have had. But I shall write Shearman a letter, and give him my full feeling about it. I must again the, as I have heretofore been, indebted to you for a judical counce on this new and flagrant element. My innermest soul tones for peace, and if that cannot be, for death—that and bring peace. My fervent hope is that this drop of gall may shak through out of sight and not prove a mortal poison. Yours ever.

It we Berenke.

I have written strongly to Shearman, and hope that he will send a letter to T, unsolicited. I am sick head, heart and bedy, but must move on ! I feel this morning like letting things go by the ran!

to. That is not the rule. I only wanted to know the subject mper ought to be produced. You can produce it hereafter.

Mr. Fullerton—It is referred to as a collateral matter.

Q. After receiving that letter did you see Mr. Beecher? A.

saw him before he wrote the letter or not, but I had a conversa-tion with him concerning that paragraph—whether it Q Against Mr. Beecher! A. Against Mr. Tilton, that is, were to be considered. I had an interview with Mr. Brecher in the presence of Mr. Tilton, I think, concerning what was to be done at that meeting. is corrected, will make trouble about it. It is an outrage; I am think he is above such matters." That is what I told Mr. Beecher, and Mr. Beecher said to me that he thought it was an outrage; that he thought it was a crueity; that it caused him

Q. By Mr. Evarts-You have not stated when this wast A.

Q. When? A. Shortly after the paragraph in The Union ap-Mr. Beach-I suppose we have that correspondence, if it is

Q. By Mr. Fullerton—[Handing a book to witness.] Look at that and see if it will fix the date of Mr. Shearman's letter ? Mr. Evarts - The date of the conversation is all that is neces-

before Mr. Beecher's letter a short time, or after Mr. Beecher's Mr. Evarts-It was all one conversation, was it ? A. No.

Mr. Beach-Tuat is sufficiently indicated by his examination Q. By Mr. Fullerton-Can you give the dates of these several

were delivered? A. Present when Mr. Shearman's letter was Mr. Evarts I suppose this is all irrelevant?

Q. Who was present when you delivered the letter of April

Christian Union, is it?
Mr. Fullerton—The Brooklyn Union.

Mr. Evarts-The Brooklyn Union, a political paper-a secular